(Spl.-H.C.A.S.,C.D.,78-e)

FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF BOMBAY AT GOA
APPELLATE SIDE

WRIT PETITION NO. 50 OF 1996.

Office Note, Office Memoranda of Quorum, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's Orders

Mr. S.G. Dessai, Sr. Advocate with Mr. N. Purishan, Advocate for the Petitioners.

Mr. A.N.S. Nadkarni, Advocate General with Mr. H.D. Naik, Addl. Govt. Advocate for the Respondents No.1 to 3.

CORAM : N.N. MHATRE &
P.V. HARDAS, JJ.

DATE : 12TH JNAUARY, 2004.

P.C.:

After the matter was heard for some time, Mr. Dessai for the petitioners, states that the authorities did not have an opportunity to consider all the questions raised in this Writ Petition. He therefore seeks liberty to approach the authority afresh and urge all the questions which arise in the present Writ Petition save and except the question of the constitutional validity of Rule 47 of the Goa Excise Duty Rules, 1964. The

petitioners therefore are permitted to withdraw the petition with liberty to approach the Respondent No.1 to decide their application afresh in accordance with law. All questions and contentions raised in the petition may be raised before the authority. In the event the petitioners are aggrieved by the Order passed by the authority they may challenge the same in accordance with law. The question of constitutional validity which arises in the Writ Petition can be urged by the Petitioners at the appropriate time. All contentions in respect of the notices as well as the impugned orders are left open, to be agitated before the appropriate authority. The Petitioners have already given a Bank Guarantee in the sum of Rs.30,00,000.00. This guarantee shall be kept alive for a period of four weeks after the disposal of the application by the Commissioner.

P.V.HARDAS, J. NISHITA MHATRE, J.